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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,537	10/21/2003	Minoru Taneda	2785-42013700	9326
25225 7590 05/29/2009 MORRISON & FOERSTER LLP 12531 HIGH BLUFF DRIVE SUITE 100 SAN DIEGO, CA 92130-2040				
EXAMINER				
DOAN, KIET M				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
05/29/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/689,537

Applicant(s)

TANEDA ET AL.

Examiner

KIET DOAN

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-7 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/04/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch-Osborne (US 2002/0045370 A1) in view of Totoda et al. (US 6,914,982 B2).

Consider **Claim 1**. Koch-Osborne teaches a portable terminal device of the foldable type comprising a pair of flat cabinets openably connected to each other by a hinge mechanism, said hinge mechanism arranged to provide rotation of one of the pair of flat cabinets re-active to the other of the pair of flat cabinets. (Paragraphs [006-008],

[000010-0011], Fig.1, 2 and Fig.4a-4c show hinge mechanism 140 or spool 200 that form hinge mechanism which contain flexible print circuit board PCB to provide rotation of foldable type of mobile device), each of the cabinets comprising a front cabinet half segment to be opposed to the other cabinet when closed (Paragraph [0006], Fig.1 show as PCB connected half segment to be opposed to the other cabinet when closed or open). Koch-Osborne **fails to explicitly teach** a rear cabinet half segment joined to the front cabinet half segment, said front cabinet half segment being a separate piece from said rear cabinet half segment, one of the pair of cabinets having the front cabinet half segment thereof connected at an end portion thereof directly to the hinge mechanism and the other cabinet having the rear cabinet half segment thereof connected at an end portion thereof directly to the hinge mechanism,

In an analogous art, Toyoda teaches "Folding portable cellular phone". Further, **Toyoda teaches** a rear cabinet half segment joined to the front cabinet half segment (Fig.3 illustrate rear cabinet half segment as read on 16/26 joined to the front cabinet half segment as read on 12/22), said front cabinet half segment being a separate piece from said rear cabinet half segment (Fig.1, illustrate front cabinet half segment 12/22 being a separate piece from said rear cabinet half segment), one of the pair of cabinets having the front cabinet half segment thereof connected at an end portion thereof to the hinge mechanism and the other cabinet having the rear cabinet half segment thereof connected at an end portion thereof to the hinge mechanism (Col.5, Lines 4-41, Fig.1, illustrate the pair of cabinets having the front cabinet half segment having end portion connected to the hinge cover 13/23 and rear cabinet half segment having end portion

connected to the hinge cover 17/27 wherein both end hinge cover 13/23 and 17/27 connected to the hinge mechanism as read on 32).

Therefore, it would have been obvious at the time that the invention was made to modify Murray and Toyoda's system, such that a portable terminal device of the foldable type having a pair of flat cabinets each of the cabinets comprising a front half segment and rear half segment wherein connected through hinge to provide means for forming strength connection of half segment portion.

Consider **claim 2**. The combination of Koch-Osborne and Toyoda teach a portable terminal device of the foldable type according to claim 1. Further, Toyoda teaches wherein one of the pair of flat cabinets is a manipulation-side cabinet provided with a plurality of manual keys (Fig.1 No.21 as one of the pair of flat cabinets provided with a plurality of manual keys), and the other cabinet is a display-side cabinet provided with a display (Fig.1, Illustrate No.11 as read on display-side cabinet), the front cabinet segment of the manipulation-side cabinet and the rear cabinet segment of the display-side cabinet being connected to each other by the hinge mechanism (Fig.1 Illustrate the front cabinet segment connect with rear cabinet segment directly by hinge mechanism 32).

Consider **claim 3**. The combination of Koch-Osborne and Toyoda teach a portable terminal device of the foldable type according to claim 1. Further, Toyoda

teaches wherein the front cabinet half segment of the manipulation-side cabinet is provided as part of the hinge mechanism with a pair of annular pieces projecting from one end thereof and space apart from each other and the rear cabinet half segment of the display-side cabinet is provided, as part of the hinge mechanism with a pair of annular pieces projecting from one end thereof and spaced apart from each other (Col.5, lines 8-49, Fig. 2, 3 and Fig.6, show front half segment 12 and 22 and rear cabinet half segment 16 and 26), the annular piece of the manipulation-side cabinet and the annular piece of the display-side cabinet being arranged side by side in contact with each other and have fitted therein a first hinge unit, the other annular piece of the manipulation-side cabinet and the other annular piece of the display-side cabinet being arranged side by side in contact with each other and have fitted therein a second hinge unit (Col.6, Lines 7-51, Fig.6 and Fig.11, Illustrate the front cabinet segment 12 and the rear cabinet segment of the display-side 16 contact with each other and have fitted hinge unit).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kiet Doan/
Examiner, Art Unit 2617

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617